

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY FASANO,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.

1:23-CV-9416 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated and entered December 8, 2023, the Court directed Plaintiff to notify the court in writing, within 60 days, as to: (1) his current mailing address; or (2) whether he consents to electronic service of court documents. That order specified that failure to comply would result in dismissal of this action without prejudice. Plaintiff has neither informed the court of his mailing address, nor notified the court as to whether he consents to electronic service of court documents. Accordingly, the Court dismisses this action without prejudice. *See* Fed. R. Civ. P. 41(b).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Court directs the Clerk of Court to enter a judgment dismissing this action for the reason set forth in this order.

SO ORDERED.

Dated: March 13, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge